

U.S. Application No. 10/774,028, filed February 6, 2004
Attorney Docket No. 14329US02
Response dated August 16, 2011
In Response to Office Action mailed March 16, 2011

REMARKS

Claims 1-32 are pending. Claims 1-32 stand rejected.

Claims 21, 26 and 28 are rejected under 35 U.S.C. 112 as being indefinite. With respect to claim 21, Applicants have amended the claim to correct the informality noted by the Examiner. With respect to claims 26 and 28, the Examiner notes that two paths described in the application, notably that the upload path and the team path are the same path. Applicants respectfully draw the attention of the Examiner to FIG. 2 of an embodiment described in the present application which shows, for example, three paths: a path through block 180, a path through paths 220, 210, and a path through paths 200, 190. With respect to the addition objection raised with respect to claim 26 in the Office Action, Applicants respectfully note that, in FIG. 2, the system 170 that may offload connections has an upload path and an offload path. The upload path includes paths 210, 220, and the offload path includes a path through block 180. Also, with respect to the three paths, FIG. 3 shows another embodiment described in the present application which shows, for example, three paths: a path through blocks 310, 320, 330; a path through blocks 310, 250, 280, 270; and a path through blocks 310, 250, 260, 270. The examples are not meant to limit the scope of the claims, but merely to demonstrate support in the specification for recited elements as raised by the Examiner. It is therefore respectfully requested that the rejection under 35 U.S.C. 112 be withdrawn with respect to claims 21, 26 and 28.

Applicants have amended at least independent claims 1, 21, 26 and 28 to expedite prosecution and/or to further clarify the subject matter therein. In view of at least the amendments herein, it is respectfully submitted that the outstanding Office Action does not present a prima facie case of obviousness with respect to claims 1-32.

It is respectfully requested that the alleged prima facie case of obviousness be withdrawn with respect to claims 1-32 and that claims 1-32 be placed in condition for allowance.

Applicants do not necessarily agree with the Examiner's characterization of the

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documents made of record, either alone or in combination, or the Examiner's characterization of recited claim elements. Furthermore, Applicants respectfully reserve the right to argue the characterization of the documents of record, either alone or in combination, to argue what is allegedly well known, allegedly obvious or allegedly disclosed, or the characterization of the recited claim elements should that need arise in the future.

Applicants reserve the right to pursue, without prejudice, subject matter that has been withdrawn, amended and/or cancelled in a continuing application.

With respect to the present application, Applicants hereby rescind any disclaimer of claim scope made in the parent application or any predecessor or related application. The Examiner is advised that any previous disclaimer of claim scope, if any, and the alleged prior art that it was made to allegedly avoid, may need to be revisited. Nor should a disclaimer of claim scope, if any, in the present application be read back into any predecessor or related application.

In view of at least the foregoing, it is respectfully submitted that the present application is in condition for allowance. Should anything remain in order to place the present application in condition for allowance, the Examiner is kindly invited to contact the undersigned at the below-listed telephone number.

The Commissioner is hereby authorized to charge any additional fees, to charge any fee deficiencies or to credit any overpayments to the deposit account of McAndrews, Held & Malloy, Account No. 13-0017.

Date: August 16, 2011

Respectfully submitted,

/Michael T. Cruz/
Michael T. Cruz
Reg. No. 44,636

McANDREWS, HELD & MALLOY, LTD.

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500 West Madison Street, Suite 3400
Chicago, Illinois 60661
Telephone: (312) 775-8000
Facsimile: (312) 775-8100